



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

January 9, 2019

Certified Mail: 7018 1130 0000 4828 3682

Peter Nickel
CNX Gas Company, LLC
1000 CONSOL Energy Drive
Canonsburg, Pennsylvania 15317

**Re: CNX Gas LLC
Multiple Facilities
Notice of Violation (NOV)
Air Permit**

Division of Air Pollution Control

Subject: Notice of Violation

Dear Mr. Nickel:

Ohio EPA conducted a review of the required monitoring, recordkeeping and reporting for CNX Gas Company, LLC facilities currently permitted by the Southeast District Office of the Ohio EPA. The goal of this review was to determine the facility's compliance with respect to monitoring, recordkeeping and reporting with Ohio's Division of Air Pollution Control's laws as found in Chapter 3704 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC) and the terms and conditions of the CNX Gas LLC facilities' permit(s)-to-install and operate (PTIO)s listed in Table A attached to this document:

Findings

Ohio EPA noted the following violation of ORC Chapter 3704, OAC Chapter 3745, and the facility's permit terms and conditions. In order to bring your facility into compliance, we recommend promptly addressing this violation within 30 days of your receipt of this letter.

Since the same violation occurred among multiple facilities, the facilities referred to in the violation below are identified in table format. Please reference the attached Table A. The terms are from the Ohio EPA General Permit 12.1 and 12.2, both effective April 4, 2014.

1. Facility: multiple facilities- see Table A

ORC chapter 3704.05(C): *"No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."*

General Permit 12.1 Terms C.5.e(2) a.-g. for EU F001: *For **each** inspection that occurred during the year, the permittee shall submit the following information with*

the annual PER from data collected by the ancillary equipment leak detection and repair program:

- a. the date of the inspection;*
- b. the number of components determined to be leaking;*
- c. the company ID and component type (flange, pump, etc.) of each leaking component;*
- d. the total number of components at the site;*
- e. the percent of components determined to be leaking;*
- f. a list of all components that have not been repaired due to a delay of repair and the reason for the delay; and*
- g. a notification indicating if the permittee has changed future inspection frequencies based on the percent of components leaking.*

(a) In the PERs submitted on the date listed in table A, the facility did not report the required LDAR information.

(b) **Requested action:** Within 30 days of the receipt of this letter, CNX Gas LLC is requested to resubmit PERs (corresponding with facilities in Table A) with appropriate documentation and/or reports specified in the facilities permit. CNX Gas LLC is also requested to provide a description of the course of action that will be initiated to ensure that the next PERs submitted will contain the required reports specified in the facilities permit terms C.5.e(2) a.-g. for EU F001

Conclusion

The Ohio EPA requests that CNX Gas LLC promptly undertake the necessary measures to return to compliance with Ohio's environmental laws and regulations. Within **30 days** of receipt of this letter, please provide, to Ohio EPA, the documentation requested above. If you have already resolved the violations listed above thank you, please provide documentation supporting compliance. Documentation of steps taken to return to compliance may include: written correspondence, updated policies, and/or photographs, as appropriate.

Failure to comply with Chapter 3704 of the ORC and rules promulgated thereunder may result in an administrative or civil penalty. If circumstances delay resolution of violations, CNX Gas LLC is requested to submit written correspondence describing the steps that will be taken by date certain to attain compliance.

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Please note that the submission of any requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek administrative or civil penalties as provided in Section 3704.06 of the ORC.

Thank you for your time and cooperation and if you have any questions, please do not hesitate to contact me at (740) 380-5257 or by e-mail at lindsey.harden@epa.ohio.gov

Sincerely,



Lindsey Harden
Environmental Specialist II
Ohio EPA - Division of Air Pollution Control
Southeast District Office

LH/cs

Attachment

ec: James Kavalec/John Paulian, DAPC/CO
Melisa Witherspoon, DO/SEDO
John Rochotte, DAPC/SEDO
Brian Dickens, USEPA/Region V

Table A

Facilities and their respective PTIOs affected by this document

Facility Name	Facility ID	County	Issued PTIO(s)	Active Permit from which referenced PER was submitted and violation is based upon	Date PER submitted:
CNX Gas LLC - SWITZ-11/28 HSU	0656025018	Monroe	<u>P0122001</u> 12.1, effective 12/21/2016	<u>P0122001</u> 12.1, effective 12/21/2016	05/15/2018
CNX Gas LLC - SWITZ-26HSU	0656025019	Monroe	<u>P0122002</u> 12.1, effective 12/21/2016	<u>P0122002</u> 12.2, effective 12/21/2016	05/15/2018